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ABSTRACT

This document addresses issues in the identification of children with specific learning disability (SLD) in the context of reauthorization of the Individuals with Disabilities Education Act (IDEA). It first reviews current requirements in federal law, noting discrepancies in the regulations, then discusses several SLD identification approaches and how they have been used, current state practices in SLD identification, and alternative approaches that are being proposed. SLD identification practices include: (1) mathematical approaches (such as expectancy formulas); (2) measurement of intrinsic processing; (3) use of clinical judgment; and (4) response to intervention and problem solving. Review of current state practices in SLD identification notes that states vary in the procedures used to determine the existence of a discrepancy between achievement and ability. Proposals for change are summarized from two government sponsored groups and three national educational associations as well as the President's Commission on Excellence in Special Education. The paper concludes that while there is agreement that discrepancy between ability and achievement is characteristic of children with SLD, there is overwhelming rejection of the way the concept of discrepancy has been used for student identification, with the most frequently discussed alternative being the response to intervention approach. However, many challenges to reaching consensus on any change in identification procedures are seen. (DB)

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Specific Learning Disability: Current Approaches to Identification and Proposals for Change

by

Eileen M. Ahearn, Ph.D.

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Specific Learning Disability:
Current Approaches to Identification and Proposals for Change

Introduction

For a long time, concerns have been expressed about procedures used for the identification of children with specific learning disabilities (SLD). In the final regulations for the 1997 amendments to the Individuals with Disabilities Education Act (IDEA), the U. S. Department of Education Office of Special Education Programs (OSEP) made a commitment to "carefully review research findings, expert opinion, and practical knowledge over the next several years to determine whether changes should be proposed to the procedures for evaluating children suspected of having a specific learning disability" [*Federal Register*, March 12, 1999, pg. 12541]. On August 27 and 28, 2001, the "Learning Disabilities Summit: Building a Foundation for the Future" was held in Washington, DC as part of OSEP's Learning Disabilities Initiative developed to carry out that review. A series of papers that cover relevant empirical research and describe what is currently known regarding SLD were delivered at the summit and subsequently compiled into a book (Bradley, Danielson, & Hallahan, 2002).

Reauthorization of the IDEA is being considered by Congress as this analysis is being written. There is considerable interest in addressing some of the problems that have been documented concerning the identification of children with SLD. For example, stakeholder groups have begun to issue proposals for changes in the law. The Summit's comprehensive review of SLD research provides valuable information to inform this discussion. The purpose of this document is to provide a succinct summary of the major issues in SLD identification and outline some proposals for change.

This document was prepared by Project FORUM at the National Association of State Directors of Education (NASDSE), a Cooperative Agreement with OSEP. After a review of current requirements in federal law, the document contains a discussion of several SLD identification approaches and the way they have been used, current state practices in SLD identification and alternative approaches that are being proposed by researchers and stakeholder organizations. The document ends with a discussion of the challenges to reaching consensus on any change in the identification procedures for specific learning disabilities.

IDEA Requirements

The IDEA regulations define SLD as:

> *(i) General. The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.*

(ii) Disorders not included. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage" [CFR 300.7(c)(10)].

Despite that definition, the IDEA regulations concerning identification of a child with SLD do not have any reference to psychological processes. Rather, they focus on the discrepancy between ability level and achievement in setting the criteria for determination of eligibility for the category. The regulations as to identification are as follows:

(a) A team may determine that a child has a specific learning disability if—

(1) The child does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in paragraph (a)(2) of this section, if provided with learning experiences appropriate for the child's age and ability levels; and

(2) The team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematics calculation or mathematics reasoning.

(b) The team may not identify a child as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of—

(1) A visual, hearing or motor impairment;
(2) Mental retardation;
(3) Emotional disturbance; or
(4) Environmental, cultural or economic disadvantage [CFR 300.541].

SLD Identification Practices

The book that resulted from the LD Summit (Bradley et al., 2002) presents a lengthy (almost 900 pages) and intense examination of the development of the field of learning disabilities and the most important current research on issues related to student identification. A major focus of the book is the development and use of the discrepancy approach and the search for alternative methods that might provide more appropriate and accurate identification of students with learning disabilities who need special education.

Although there is no federally-mandated formula to be used in determining the identification of a child as learning disabled, the presence of "a severe discrepancy between aptitude and achievement" as stated in the IDEA regulations must be established. Many different methods are used to verify the presence of a severe discrepancy between ability and achievement that meet the IDEA-mandated criterion for eligibility for SLD (Schrag, 2000), although many are now being attacked as invalid. The following is a brief summary of the commonly used methods in SLD identification and the advantages and disadvantages of each.

Mathematical Approaches to SLD Identification

There have been numerous efforts made to find a quantifiable method to identify the presence of SLD with objectivity and precision. However, research on implementation of the most commonly used variations of this approach demonstrates that reaching a valid, purely numerical basis for determining SLD eligibility is not possible ((Bradley et al., p. 383).

Standard Scores and Standard Deviations

These approaches involve the conversion of test scores into standard scores with the same mean and standard deviation to permit direct comparison among different tests on the basis of either the scores alone or the amount they deviate from the mean. Test experts have criticized the use of standard scores on technical grounds. For example, they note that this approach contains a systematic bias because the scores of IQ and achievement tests are correlated at only about .60 (Bradley et al., p. 378). The low correlation can make it more likely that a student with low ability will be considered to be a student with SLD. The imperfect correlation also causes measurement errors with different combinations of tests producing different levels of SLD identification.

Regression Approaches

Numerous mathematical formulas involving standard scores, difference scores or statistical regression have been developed to allow the discrepancy decision to be made on the basis of a quantitative manipulation of test scores. Most of these methods involve complex calculations that are a challenge to implement. They are difficult to understand and there is a high chance of error in interpretation that can easily lead to inaccurate decisions. In addition, the many technical problems with test instruments have added to the concerns about the validity of the mathematical formula approach to SLD identification.

Cognitive Discrepancies

Most states continue to require the use of an IQ test as part of the identification process for specific learning disabilities and some still consider the differences between verbal and performance scores on an IQ test as indicative of the presence of a learning disability. However, a study by Kavale and Forness found no specific intelligence test profile for SLD students (Bradley et al., p. 370). There is increasing criticism of IQ measures on many grounds, including technical adequacy and cultural bias, which is a primary part of the case being built to eliminate the use of IQ testing in the process of SLD identification.

Expectancy Formulas and Grade-Level Deviation

This class of identification procedures most commonly involves the use of a significant difference between the actual grade-level placement of students and the expected grade level based on their age. These procedures are criticized as too simplistic for identifying SLD because of the inconsistent units of measurement and because they lack consideration of the level and degree of instruction the student has received. Although the use of a grade-level deviation

method was relatively common in the past, none of the methods developed to apply this criterion have been found to be satisfactory.

The use of an IQ test and the discrepancy approach have been viewed by many in the field as the basic tools necessary to differentiate between students with specific learning disabilities and low-ability students. However, as Kavale concluded in his article in the Bradley et al. book (p. 407), the aptitude-achievement discrepancy is a legitimate concept in the description of SLD, but it is more accurately viewed as the "operational definition of underachievement" that is seen in a variety of conditions and it cannot be used alone to identify a specific learning disability. Many in the learning disabilities community reject the "underachievement" definition because it is inherently non-categorical and eliminates the need and usefulness of the SLD construct.

Measurement of Intrinsic Processing as an Identification Approach

As mentioned above, the IDEA definition of SLD refers to a disorder in psychological processing. Although it is a very complex subject, there is some agreement among experts in the field on the identification of certain psychological processing problems involved in SLD, e.g., limitations in working memory capacity, phonological processing deficits, poor understanding of auditory input. However, measurement of these processes to identify the presence of a learning disability is currently not an acceptable method of SLD identification because knowledge in this area is inadequate and serious problems exist in reliably assessing those processes (Bradley et al., 2002, p. 582-5). While this approach is not sufficient by itself to be used for SLD identification, the specific knowledge and strategies that characterize this method can be incorporated into other approaches that call for early evaluation and monitoring of the acquisition of reading and other skills.

Use of Clinical Judgment in SLD Identification

The use of clinical judgment alone in lieu of standardized tests as the approach for identification of SLD requires the availability of personnel with a high level of expertise in the areas of informal assessment, learning processes and analysis of student patterns and progress, as well as knowledge of the influence of culture and non-English first language influence on student performance in school. Shortages of such well-trained clinicians have been documented across the country. The lack of trained and experienced personnel and the search for an "objective" measure for SLD identification have combined to minimize the use of clinical judgment in the identification process. However, clinical judgment is frequently included as an important tool *in combination with* another approach or in a multi-strategy method of SLD identification.

Response to Intervention and Problem-Solving Approaches

The use of "response to intervention" (RTI) as part of the SLD identification process has received the most attention in recent years. Methods based on this approach use a multi-tiered process in which students exhibiting learning difficulties are initially provided instructional assistance within general education that increases in intensity over time and also involves ongoing evaluation. Those who can succeed with a minimal level of intervention are retained in

the regular instructional program and those whose performance does not improve with valid intervention are referred for a more extensive evaluation. The end result is said to be the identification of only those students who have a disability for whom special education is needed. Many of the most recent formal proposals for changes to the IDEA include recommendations to include or study RTI. (For example, see the following: www.cec.sped.org/gov/IDEA_reauth_4-2002.pdf and www.nasponline.org/advocacy/IDEA%20LD%20recs%20Executive%20Summary.pdf.)

A considerable amount of research has been conducted recently on components of the RTI approach (Bradley et al., 2002, p. 489). One approach is to evaluate those elements that best predict success in learning to read (e.g., phonemic awareness, letter and sound recognition, etc.), but this could not be used alone in determining eligibility for SLD since an identified problem may be the result of inadequate or ineffective instruction. In a similar vein, the applied behavior analysis model (ABA) attempts to analyze the reasons for poor performance and provide intervention on a hierarchical basis (e.g., the use of modeling, prompting and other graduated techniques during practice to remediate problems). Again, determination of eligibility is difficult to establish solely through this procedure, but it can be a valuable component in a more extensive eligibility process.

A growing body of research exists on the use of a multi-phased approach to SLD identification. Fuchs and Fuchs have been researching various RTI approaches for several years. They have developed a "dual discrepancy" approach that incorporates the concept of discrepancy (Bradley et al., 2002, p. 490-4). This requires demonstrating that a child's achievement is both at a lower level than that of peers and occurs at a substantially slower rate. The Fuchs team proposed a three-phase model that begins with verification of adequate classroom instruction and then identifies whether or not a child has discrepancies in both lowered achievement and lowered rate of learning. If so, at the second level the student receives pre-referral intervention within the general education setting over a minimum of six weeks. If the student does not progress adequately, a more intensive diagnostic process is used for about eight weeks, after which a team decides on the need for formal identification of the child as requiring special education services. The Fuchs believe at this point that the RTI approach that makes the most sense involves the following critical elements: (a) scientifically validated, generally effective instruction in the mainstream classroom b) small-group tutoring for non-responders; and, c) multidisciplinary evaluation of chronic non-responders, i.e., students who do not benefit from instruction in general education nor from small group tutoring (D. Fuchs, personal communication, May 18, 2003).

Another example of a multi-stage response to instruction is the "problem solving model" implemented in the early 1990s in Minneapolis, Minnesota (Bradley et al., 2002, p. 437-45). It is an approach that involves within-classroom intervention, followed by involvement of an intervention assistance team that may or may not include special education staff, leading finally (for those for whom the intervention has not been successful) to a full special education evaluation. Curriculum-based measurement, (the use of direct observation and recording of student performance in the school curriculum for instructional decision-making, Bradley et al, p. 42) is also a major component of this model and its implementation was carried out under a state waiver that also included a non-categorical approach to student identification.

Iowa is using another example of the response to intervention approach that is referred to as a "multiple gating procedure" (Bradley et al., 2002, 502; 531-40). One of the state's area education agencies (AEA) has concentrated on the development of the four-stage "Heartland Problem Solving Approach" that involves defining the student's problem, developing a plan, implementing that plan and evaluating the results. Current Iowa special education regulations specifically permit this approach:

> *§41.47(3) Systematic problem solving process.*
> *When used by an AEA in its identification process, systematic problem solving means a set of procedures that is used to examine the nature and severity of an educationally related problem. These procedures primarily focus on variables related to developing effective educationally related interventions. Active parent participation is an integral aspect of the process and is solicited throughout* [Iowa Administrative Rules of Special Education].

While there is growing and enthusiastic support for the response to intervention approaches, there is still only anecdotal, but not research, evidence that practitioner-conducted RTI improves the identification procedures for students with SLD. Those in the field who advocate RTI strongly recommend that its implementation require evidence-based interventions with treatment integrity. There are a number of implementation decisions that must be addressed: determining the most appropriate intervention, the length and intensity of that intervention, and the costs involved are only a few of the issues that remain to be resolved.

Current State Practices in SLD Identification

Most states have incorporated the exact federal IDEA provisions for SLD definition and identification criteria into their state laws and regulations. However, since there are no specific procedures for identification prescribed in the federal regulations, each state is free to select a method to determine the existence of a discrepancy between achievement and ability. It is important to recognize that some states allow multiple approaches and many are in the process of reviewing and changing their regulations and policies.

As noted in the two most recent reviews of state practices (Reschly, Hosp & Schmied, in press; Schrag, 2000), there is a significant amount of variation in the procedures states use to establish eligibility for students with SLD. While it is beyond the scope of this document to provide a detailed report on current state practices for SLD identification, the following highlights from reported practices illustrate the variability that exists.

- About 30 states use an approach that involves standard scores or regression equations with set points that determine eligibility.
- A few states have experimented with or allow the use of a problem-solving approach in place of establishing a severe discrepancy through testing.

- Only seven states reported allowing the professional judgment of a team to be the basis for SLD identification, although another 33 allow the team to override a decision based on other criteria.

- Only four states reported they continue to allow the use of verbal-performance differences[1], although another three states allow the use of patterns among or across academic areas to be considered.

- Many states have developed guidelines for evaluation teams to use in determining eligibility under the SLD category and placed these resources on the state website. One example is the Maryland guidelines document that can be found online at: http://www.msde.state.md.us/specialeducation/SLDGuide/SLDGuide-Sig.pdf).

- Although a processing disorder is part of the SLD definition, only 13 states require that it be documented to establish SLD eligibility.

- The consideration of grade-level discrepancy is allowed in three states.

- Six states allow local districts to select the criteria and methods for determining a severe discrepancy and eligibility for special education under the SLD category.

Proposals for Change

This section summarizes some proposals that have been offered for consideration in the upcoming reauthorization of the IDEA. Input is summarized from two OSEP-sponsored groups and three national educational associations. Then, recommendations related to SLD put forth by the President's Commission on Excellence in Special Education are described. The Commission was a group composed of experts and interested stakeholders appointed by President Bush to "recommend policies for improving the educational performance of students with disabilities." The full Commission report, issued April 30, 2002, is available online at: http://www.ed.gov/inits/commissionsboards/whspecialeducation/reports.html.

OSEP Stakeholder Groups

1. Researchers' Consensus

As a follow-up to the LD Summit, OSEP convened a series of stakeholder groups to discuss the content of the research papers commissioned for the Summit. One group was composed of the researchers who reviewed the body of evidence and identified implications for policy, practice and technical assistance. The group developed a set of eight consensus statements (Bradley et al., pp. 791-804). Of the eight, the following three items pertain directly to identification issues:

[1] The use of "verbal-performance differences" in SLD identification refers to an analysis of a student's scores on the two major sections of an intelligence test, such as the WISC-R, and inferring the existence of a learning disability based on specific scatter patterns.

- IQ/Achievement Discrepancy: It was recognized that the IQ/achievement discrepancy approach to identifying SLD is no longer supported by current research, but there was concern expressed by some of the researchers about the development of a valid alternative that could be implemented on a large scale. This specific topic did not yield full consensus but rather generated a majority and a minority opinion as follows:

  Majority: IQ/achievement discrepancy is neither necessary nor sufficient for identifying individuals with SLD. IQ tests do not need to be given in most evaluations of children with SLD. There should be some evidence that an individual with SLD is performing outside the ranges associated with mental retardation, either by performance on achievement tests or by performance on a screening measure of intellectual aptitude or adaptive behavior.

  Minority: Aptitude/achievement discrepancy is an appropriate marker of SLD, but is not sufficient to document the presence or absence of underachievement, which is a critical aspect of the concept of SLD.

- Processing Deficit: Although processing difficulties have been linked to some SLDs (e.g., phonological processing and reading), direct links with other processes have not been established. Methods currently available for measuring many processing difficulties are inadequate. Therefore, systematically measuring processing difficulties and their link to treatment is not yet feasible.

- Response to Intervention: There should be alternative ways to identify individuals with SLD in addition to achievement testing, history and observations of the child. Response to quality intervention is the most promising method of alternative identification and can both promote effective practices in schools and help to close the gap between identification and treatment. Any effort to scale up response to intervention should be based on problem-solving models that use progress monitoring to gauge the intensity of intervention in relation to the student's response to intervention. Problem-solving models have been shown to be effective in public school settings and in research.

II. The Learning Disabilities Roundtable

In July 2002, a report developed by 10 organizations that participate in the Learning Disabilities Roundtable was released (American Institutes of Research, 2002). The Roundtable was also supported by OSEP following the Summit as part of its Learning Disabilities Initiative. The combined organizations participated in a process that included a series of three meetings to review the Summit papers, development of draft recommendations and reaching consensus on a set of statements concerning SLD. Their consensus statements related to SLD identification and eligibility were similar in most respects to the conclusions reached by the researchers. They are:

- Identification should include a student-centered, comprehensive evaluation and problem solving approach that ensures students who have a specific learning disability are efficiently identified.

- Regular education must assume active responsibility for delivery of high quality instruction, research-based interventions, and prompt identification of individuals at risk while collaborating with special education and related services personnel.

- The ability-achievement discrepancy formula should not be used for determining eligibility.

- Decisions regarding eligibility for special education services must draw from information collected from a comprehensive individual evaluation using multiple methods and sources of relevant information.

- Decisions on eligibility must be made through an interdisciplinary team, using informed clinical judgment, directed by relevant data, and based on student needs and strengths.

- Decisions on eligibility must be made in a timely manner.

- Based on an individualized evaluation and continuous progress monitoring, a student who has been identified as having a specific learning disability may need different levels of special education and related services under IDEA at various times during the school experience (AIR, 2002).

Input has been gathered by OSEP and the Congress concerning changes to be considered in the IDEA reauthorization. The next section summarizes recommendations made by three national organizations.

National Organizations' Recommendations

I. National Center for Learning Disabilities (NCLD)

The NCLD is an organization devoted to supporting improvements for individuals with learning disabilities through education, public awareness and advocacy. The organization has recently concentrated its efforts on promoting early identification of students with SLD and supporting the use of research-based strategies. The following policy priorities and recommendations for changes in the IDEA related to identification for SLD appear on the NCLD website (http://www.ld.org/advocacy/LDRoundtablePolicyRec.pdf):

- The statutory definition of SLD should be maintained in IDEA.

- Section 614 (b) of IDEA-97, should be maintained. That section states, "In conducting the evaluation, the local educational agency shall not use any single procedure as the sole criterion for determining whether a child is a child with a disability..."

- All preschoolers should be screened to assess early language and reading skill development just as they are for vision and hearing.

- IQ-Achievement discrepancy formulae should not be used to determine eligibility for students with learning disabilities.

- Identification should include a student-centered, comprehensive evaluation and problem solving process by an inter-disciplinary team that ensures students who have a learning disability are efficiently identified and receive services in a timely manner.

- Students must be evaluated on an individual basis and assessed for intra-individual differences in the seven domains that comprise the definition of SLD in the law: listening, thinking, speaking, reading, writing, spelling and mathematical calculation.

- All assessments must be culturally and linguistically unbiased.

- Identification must be documented by systemic assessments and reporting, appropriate regular education interventions, high quality instruction, administrative and other support services for all professionals.

- New methods for identifying students with SLD must be piloted in classroom settings and demonstrated through data-based analysis to improve educational outcomes prior to widespread adoption.

- Information on existing methods for identifying students with SLD must be validated and disseminated as soon as possible.

II. Learning Disabilities Association of America (LDA)

On its website (http://www.ldanatl.org/), the LDA describes itself as a non-profit organization of volunteers including individuals with learning disabilities, their families and professionals dedicated to identifying causes and promoting prevention of learning disabilities and to enhancing the quality of life for all individuals with learning disabilities and their families by encouraging effective identification and intervention, fostering research and protecting their rights under the law. LDA seeks to accomplish this through awareness, advocacy, empowerment, education, service and collaborative efforts. The LDA priorities for IDEA reauthorization related to identification for SLD are stated on their website as follows :

The LDA strongly opposes changes in IDEA-97 and/or the regulations that:

- Eliminate or modify sections of IDEA that are specific to improving results for students with disabilities until sufficient longitudinal data is collected to justify such revisions.

- Modify statutory language regarding learning disability definitions, identification, or eligibility procedures until data is available to ensure that such changes improve educational services and outcomes.

These recommendations reveal that the LDA, although it was a participant in the Roundtable activities described above, differed from some of the recommendations developed by that consortium of organizations.

III. National Association of State Directors of Special Education (NASDSE)

NASDSE is the membership organization for all state directors of special education and operates for the purpose of providing services to state education agencies to facilitate their efforts to maximize educational outcomes for individuals with disabilities. In July 2002, the NASDSE Board of Directors adopted a report regarding the definition of SLD (report available online at: http://www.nasdse.org/government_relations/ldreport.htm.) that included the following:

- The key elements that would have to occur in order to implement the three-tiered identification model are:
  - There would have to be a different and substantially more vigorous professional development effort than currently exists.
  - General education would need more systemic effective child specific interventions than currently exist.
  - There would have to be a carefully planned transition from the current approach to this new model.
- In the three-tiered intervention model, Tier 1 would take a more sustained general education instructional effort than in the past; for children who are still struggling after Tier 1 intervention, additional time and direct instruction would be provided at Tier 2 that will require even more general education effort (one-half or more of the school year when combined with Tier 1) for specific children, and Tier 3 would then become the point where special education begins.
- The three-tiered identification/intervention strategy for the identification of children with SLD is desirable and the committee recommends that it should be supported.
- Professional development would need significant new resources.
- Parents would have to be informed of their rights under IDEA at Tier 2 since moving the child to that level is based on suspicion of a learning problem. Parental rights would be in effect at Tier 3.
- There will need to be consideration for a strong incentive for teacher training institutions to change. State and local agencies will not have the resources to continually "re-educate" teachers. Training capacity will need to be substantially upgraded and research will have to be readily available to pre-service and inservice resources.
- It is recommended that there be a 4-5 year phase-in due to the need for massive training.

- A model similar to the SCASS[2] would be a good one to follow in helping states implement this change, but it should be funded by the federal government so all states can participate. This implementation effort would also serve as sufficient justification on its' own to break the cap on SEA discretionary monies.

Recommendations by the President's Commission on Excellence in Special Education

The introduction to the final report from the President's Commission on Excellence in Special Education contains the following statement prominently displayed in a text box:

> Of those with "specific learning disabilities," 80 percent are there simply because they **haven't learned how to read.** Thus, many children receiving special education—up to 40 percent—are there because they weren't taught to read. The reading difficulties may not be their only area of difficulty, but it is the area that resulted in special education placement. Sadly, few children placed in special education close the achievement gap to a point where they can read and learn like their peers (President's Commission on Excellence in Special Education, 2002, p. 3).

The Commission did find compelling evidence supporting the existence of SLD as a category of disability. In describing it as one of the "high incidence" disabilities, the Commission noted that SLD children are not identified on the basis of physical or neurological findings, but rather on the use of psychometric tests. The Commission criticized current identification practices, describing them as "an antiquated model that waits for a child to fail, instead of a model based on prevention and intervention" (Commission, p. 7). Commission findings state that "many of the current methods of identifying children with disabilities lack validity. As a result thousands of children are misidentified every year, while many other are not identified early enough or at all" (p. 8).

At one of its sessions, the Commission heard the following testimony from James Ysseldyke, a researcher who has written extensively on SLD: "There is no psychometrically reliable and valid way to differentiate members from nonmembers of the category learning disabilities. This does not mean, and I have not said that there is no such thing as LD. But, please, free us from the straight jacket of IDEA diagnostics and allow us to focus instead on responding to the needs of kids. I would push you to the kind of problem solving modeling that Frank Gresham has mentioned." (Transcript of the session is available online at: http://www.ed.gov/inits/commissionsboards/whspecialeducation/meeting_april-16-2002/transcript_4-16-02_brooklyn.doc)

After reviewing extensive evidence that included data from the SLD Summit, the Commission recommended "the identification process for children with high-incidence disabilities be simplified. Assessments that reflect learning and behavior in the classroom are

[2] The SCASS (State Collaborative on Assessment and Student Standards) is a project sponsored by the Council of Chief State School Officers in which groups of states pool their resources to form working groups of state personnel who cooperative on developing research on assessment, recommendations, and/or specific student assessments to meet federal and state requirements. The ASES (Assessing Special Education Students) is part of this project.

encouraged, with less reliance on the assessment of IQ that is now predominant. A key component of the identification process, especially to establish education need and make this decision less subjective, should be a careful evaluation of the child's response to instruction" (p.26).

Challenges and Barriers to Change

The literature reveals strong general agreement that discrepancy between ability and achievement is a "marker" for SLD, that is, discrepancy is a characteristic of children who have learning disabilities. There is overwhelming rejection of the way the concept of discrepancy has been operationalized for student identification. The most frequently discussed alternative for identification is the response to intervention approach. However, changing from the more commonly used testing approach will not be a simple process. Some of the commonly cited hurdles are:

- Establishing SLD eligibility through testing is a relatively short process; identification of SLD through a response to intervention process requires considerably more time and resources.

- There is no single validated response to intervention approach for use in establishing SLD identification that has yet been supported as feasible and effective through research. Indeed, there is no agreement on what evidence would be needed to make that judgment. The necessary investment in research and pilot projects will require a long period of time.

- There is a question as to whether a problem-solving process would allow for differentiation between the existence of a learning disability and generalized low ability.

- Considerably different staff capabilities will be needed to implement a response to intervention approach and consequently significant investments in professional development for both special education and general education personnel will be needed.

- Many parents have found the discrepancy approach demonstrated by test scores easy to understand. They will have to be included in training efforts to promote understanding of an approach that does not provide such specific "diagnostic" information.

- Given the variety of opinions within the field, a change in identification procedure will have political ramifications and will necessitate clear and effective communication among the many interest groups involved.

Second only to the challenge of identifying a research-based RTI approach is the provision of adequate training for all staff involved in the identification and provision of services for students with learning disabilities. As described by James Ysseldyke (personal

communication, May 16, 2003), there are many complex issues related to SLD that call for well planned staff development concerning learning disabilities, including the influence of individual student characteristics on identification (e.g., some research has demonstrated that identical behaviors by students resulted in different classification decisions). He concludes that a "multifaceted interactionist perspective" is needed on SLD. The effectiveness of instruction is a function of the interaction of many factors—student characteristics, teacher skills, styles and approaches, instructional content, the nature of the setting, and the tactics being used, among others, and this complexity requires response to intervention based on problem solving and data-based decision making as approaches to identification.

Closing Remarks

Initial Congressional proposals for the reauthorization of IDEA make it clear that SLD identification requirements will be changed in the next set of IDEA amendments. For example, both the House of Representatives bill HR 1350 and the Senate Bill 1248 contains the same revisions related to SLD identification:

> ***§614 (b)(6) SPECIFIC LEARNING DISABILITIES-***
> *'(A) IN GENERAL- Notwithstanding section 607 of this Act, or any other provision of law, when determining whether a child has a specific learning disability as defined under this Act, the local educational agency shall not be required to take into consideration whether the child has a severe discrepancy between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematical calculation, or mathematical reasoning.*
> *'(B) ADDITIONAL AUTHORITY- In determining whether a child has a specific learning disability, a local educational agency may use a process which determines if a child responds to scientific, research-based intervention.*
> [Available online at: http://thomas.loc.gov/cgibin/query/z?c108:h.r.1350.]

While there are many more steps in the reauthorization process, the inclination toward change is already evident and the amended law may permit states to use criteria other than "*a severe discrepancy between achievement and intellectual ability*" as now required by IDEA. However, given the increased resources needed and the continuing lack of agreement about the various components involved in replacement procedures as revealed in the results of a recent survey of SLD beliefs (Reschly et al., p. 15), the transformation will not be an easy process. The researchers who developed the consensus statements discussed above also noted that further research is needed to answer some of the difficult questions regarding the identification process for SLD. The areas they identified for more research are:

- methods to assess responsiveness to intervention;
- measures of intervention quality;
- scaling up the use of research-based practices;

- markers for early identification of students who are likely to be unresponsive to intervention, including younger children;
- content areas beyond reading (the knowledge base concerning effective practices in mathematics, written expression and listening comprehension is not adequate, especially in relation to early reading.)
- the influence of a change in the identification of SLD across the student age profile and the manifestation of SLD throughout the life span;
- steps to be taken if a student is not making progress in special education; and
- the impact of early identification and intervention on cost, referral to special education and intensity of services over time (Bradley et al., p. 802).

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